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TO

FILING RECEIPT CORRECTIONS
OFFICE OF INITIAL PATENT EXAMINATION

Fax No.: 703.746.9195

Phone No.:

Subject: Request for Corrected Filing Receipt

Application Serial No.: 10/600,004

FROM

Name: Deborah J. Acker

Phone No.: 650.849.6677

Fax # Verified by: smb

Pages (incl. this): 8

Date: October 14, 2003

Attorney Docket No.: 7579.0015-01000

Confirmation Copy to Follow: No

In re Application of:
Graham E. KELLY et al.

Serial No.: 10/600,004

Filed: June 18, 2003

For: **CARDIOVASCULAR AND BONE**
TREATMENT USING ISOFLAVONES

)
) Group Art Unit: 1623
) Examiner: Not Yet Assigned
)
)
)

Enclosed for filing:

1. Request for Corrected Filing Receipt (1 page);
2. Copy of the Filing Receipt with corrections noted thereon (2 pages); and
3. Copy of the Request for Filing a Continuation Application with the claim for priority emphasized (4 pages).

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DEBORAH J. ACKER

650.849.6677

deborah.acker@finnegan.com

October 14, 2003

Dr. Peter Stearne
Davies Collison Cave
Patent & Trade Mark Attorneys
Level 10
10 Barrack Street
Sydney, New South Wales
Australia, 2000

U. S. Patent Application Serial No. 10/600,004
Title: CARDIOVASCULAR AND BONE TREATMENT
USING ISOFLAVONES
Filed: June 18, 2003
Inventors: Graham Edmund KELLY et al.
Your Reference: Please provide
Our Reference: 07579.0015-01000

Dear Peter:

Further to our letter of September 15, 2003, we enclose a copy of a Request for Corrected Filing Receipt, which was filed at the U.S. Patent and Trademark Office on October 14, 2003. We will forward the Corrected Filing Receipt to you as soon as we receive it from the Patent Office.

If you have any questions, please contact us.

With best regards,

Sincerely,

A handwritten signature in cursive script, reading 'Deborah J. Acker'.

Deborah J. Acker

DJA/smb
Enclosure

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile on October 14, 2003, to Filing Receipt Corrections, at facsimile number (703) 746-9195, with the Office of Initial Patent Examination.


Sarah M. Barnett

PATENT
Customer No. 22,852
Attorney Docket No. 7579.0015-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Graham Edmund KELLY et al.) Group Art Unit: 1623
)
Application No.: 10/600,004) Examiner: Not Yet Assigned
)
Filed: June 18, 2003)
)
For: CARDIOVASCULAR AND BONE)
TREATMENT USING ISOFLAVONES)

OIPE FILING RECEIPT CORRECTIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CORRECTED FILING RECEIPT


We enclose a copy of a Filing Receipt for the above-identified patent application. We note that the domestic priority as claimed by applicant is incorrect. This application is a continuation of U.S. Patent Application Serial No. 09/914,035, which is a 371 of PCT/AU00/00384, filed April 27, 2000, as set forth on the Request for Filing a Continuation Application. A copy of the Request is attached. A copy of the Filing Receipt, with the changes noted thereon, is also provided with this request.

It is respectfully requested that a corrected Filing Receipt be issued as soon as possible.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By:


Deborah J. Acker
Reg. No. 48,916

Dated: October 14, 2003

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APPL NO.	FILING OR 371 (g) DATE	GRP ART UNIT	FIL FEE RECD	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/600,004	06/18/2003	1623	0.00	7579.0015-01000		43	3

CONFIRMATION NO. 6037

22852

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
1300 I STREET, NW
WASHINGTON, DC 20005

FILING RECEIPT



OC000000010762624

Date Mailed: 08/26/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Graham Edmund Kelly, Northbridge, AUSTRALIA;
Alan James Husband, McMahons Point, AUSTRALIA;

Assignment For Published Patent Application

Novogen Research Pty Ltd.;

Domestic Priority data as claimed by applicant

This application is a CON of PCT/AU00/00384 04/27/2000 - 09/914,035 12/10/2001
Which is a 371 of PCT/AU00/00384 04/27/2000

Foreign Applications

AUSTRALIA PQ 0083 04/28/1999

If Required, Foreign Filing License Granted: 08/25/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Cardiovascular and bone treatment using isoflavones

Preliminary Class

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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NOT GRANTED

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CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"

EV 352474821 US

June 18, 2003

USPS Express Mail Label Number

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:


 Sarah M. Barnett

PATENT

Customer Number 22,852

Attorney Docket No. 7579.0015-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP PATENT APPLICATION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
Alexandria, VA 22313-1450

Prior Application Art Unit: 1614 Prior Application Examiner: Cybille Delacroix-Muirheid

SIR: This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(b) of pending prior International Application PCT/AU00/00384, filed April 27, 2000, that entered the U.S. national stage as Application Serial No. 09/914,035, on December 10, 2001, of Graham Edmund KELLY and Alan James HUSBAND, for **CARDIOVASCULAR AND BONE TREATMENT USING ISOFLAVONES**.

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. On information and belief, I hereby verify that the attached papers are a true copy of prior international application PCT/AU00/00384 as originally filed on April 27, 2000, and the Declaration and Power of Attorney, filed on December 10, 2001.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4. ☒ A Preliminary Amendment is enclosed.
5. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended in the Preliminary Amendment.

Basic Application Filing Fee					\$750	\$ 750.00
	Number of Claims		Basic	Extra Claims		
Total Claims	43	-	20	23	x \$18	414.00
Independent Claims	3	-	3	0	x \$84	

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<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)	+\$280	0.00
Subtotal		\$ 1,164.00
Reduction by 1/2 if small entity		- 582.00
TOTAL APPLICATION FILING FEE		\$ 582.00

6. ☐ A check in the amount of \$ ____ is enclosed for the filing fee.
7. ☒ Please **DO NOT** charge the filing fee to our deposit account.
8. ☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
9. ☒ Please amend the specification at page 1, by inserting the following paragraph after the title and before the paragraph beginning at line 3:
- This application is a continuation application of International Application PCT/AU00/00384, filed April 27, 2000, that entered the U.S. national stage as Application No. 09/914,035 on December 10, 2001, and claims the benefit of Australian Application No. PQ-0083, filed April 28, 1999, under 35 USC §§ 119 and 120, both of which are incorporated herein by reference.
10. ☐ New formal drawings are enclosed.
11. ☒ The prior application is assigned of record to: Novogen Research Pty Ltd.
12. ☒ Priority of international Application Serial No. PCT/ AU00/00384, filed April 27, 2000, and Australian Application Serial No. PQ-0083, filed April 28, 1999, in Australia is claimed under 35 U.S.C. §§ 119 and 120. Certified copies of the priority documents
- ☐ is enclosed or ☒ are on file in the prior application.
13. ☒ Applicant's claim to small entity status
- ☐ is enclosed or ☒ is on file in the prior application.
14. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg.

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No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewis, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanhon Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33, 921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Allen R. Jensen, Reg. No. 28,224; Lori Ann Johnson, Reg. No. 34,498; R. Bruce Bower, Reg. No. 37,099; John Rissman, Reg. No. 33,764; M. Lawrence Oliverio, Reg. No. 30,915; Therese A. Hendricks, Reg. No. 30,389; Leslie I. Bookoff, Reg. No. 38,084; Michele C. Bosch, Reg. No. 40,524; Michael J. Flibbert, Reg. No. 33,234; Scott A. Herbst, Reg. No. 35,189; Leslie A. McDonell, Reg. No. 34,872; Thalia V. Warnement, Reg. No. 39,064; Robert W. Mann, Reg. No. 48, 555; and Deborah J. Acker, Reg. No. 48,916.

15. ☒ The power appears in the original declaration of the prior application.
16. ☐ Since the power does not appear in the original declaration, a copy of the Revocation of Original Power of Attorney And Grant of New Power of Attorney is enclosed.

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Page 4 of 4

17. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, Customer Number 22,852.
18. ☐ Recognize as associate attorney _____
19. ☒ Also enclosed is: a Petition for Three Month Extension of Time for Application Serial No. 09/914,035.

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, PCT/AU99/00222, filed March 26, 1999, that entered the U.S. national stage as Application Serial No. 09/647,092, on December 5, 2000, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 18, 2003

By: Deborah J. Acker
Deborah J., Acker
Reg. No. 48,916

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